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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,633	05/02/2001	Brett Bilbrey	BIL 1864	6617
20787	7590	07/31/2006	EXAMINER	
SITRICK & SITRICK 8340 N LINCOLN AVENUE SUITE 201 SKOKIE, IL 60077			CHEVALIER, ROBERT	
			ART UNIT	PAPER NUMBER
			2621	

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,633

Applicant(s)

BILBREY, BRETT

Examiner

Bob Chevalier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) 20-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 23-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/24/02

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Election/Restrictions

1. Applicant's election with traverse of claims 20-22 in the reply filed on 11/10/05 is acknowledged. The traversal is on the ground(s) that claims 20-22 share a common genus with group 1. This is not found persuasive because as indicated in the restriction requirement mailed out on 10/6/05, the inventions are distinct inventions. Applicant's attention is directed to the Restriction requirement.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 6, 8, 11, 14-15, 18, 23-25, 27-28, 33, 39-41, are rejected under 35 U.S.C. 102(b) as being anticipated by Lane et al.

Lane et al discloses a video recording/reproducing apparatus that shows all the limitations recited in claims 1, 15, 18, including the feature of the storage medium for storing compressed video information in a proprietary format (See Lane et al's Figure 10a, component 340), the feature of the media decoder for transforming and decoding the proprietary compressed video data into decompressed audio and video portions (See Lane et al's Figure 11, where it is shown that compressed video/audio data are being reproduced and decompressed into video/audio information), the feature of the user input for instructing to retrieve from the storage medium and decompress a

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selected item of compressed video information into the respective decompressed audio and video portions (See the user input shown in Lane et al's Figure 11, and the corresponding disclosure, and the capability of retrieving and decoding the reproduced audio/video data from the storage medium as shown in Lane et al's Figure 11), and the feature of the video display for displaying the decompressed video portion and the speaker for reproducing the decompressed audio portion as specified in the present claims 1, 15, 18. (See Lane et al's Figure 11, component 412, and column 54, lines 38-45).

With regard to claim 6, the feature of decoder transforms and decompresses the compressed video data from the storage medium to provide the decompressed audio and video portions as specified thereof is present in Lane et al. (See the capability of outputting decompressed audio and video portions as shown in Lane et al's Figure 11, components 410, and 412).

With regard to claim 8, the feature of the compressed video information being in at least one format selected MPEG1, MPEG2, MPEG4, MPEG7 and AVI as specified thereof is present in Lane et al. (See Lane et al's Figures 5 and 7).

With regard to claim 11, it is noted that all the features recited thereof are present in Lane et al, including the feature of receiving compressed digital audio/visual data files having header and video content (See Lane et al's Figure 10a, components 206, and 342), the feature of the processor removing headers and provides video content for copying in the memory (See Lane et al's Figure 10a, components 308, and 340, and column 50, lines 1-12), and the feature of reading/writing into a memory unit the

compressed digital audio/visual files as specified in the present claim 11. (See Lane et al's Figure 10a, component 340).

With regard to claim 14, it is noted that all the features recited thereof are present in the cited reference of Lane et al, including the feature of the recorder for storing the proprietary compressed video data (See Lane et al's Figure 10a, component 340), the feature of the player for retrieving the compressed data file and the processor retrieving the stored compressed data file responsive to a command from the user and decompress the compressed data file to decompressed video and audio data respectively coupled to the video display and the audio output as specified in the present claim 14. (See Lane et al's Figure 11, component 412, and column 54, lines 38-45).

With regard to claims 23, 28, 40, the feature of the decoder transforms and decompresses the compressed video information on the fly as specified thereof is present in Lane et al. (See Lane et al's Figure 11).

With regard to claim 24, the feature of receiving the compressed video information from at least one of a Personal Video Recorder (PVR), a personal computer, over a local-area-network, over a wide-area-network, and a wireless source as specified thereof is present in Lane et al. (See Lane et al's Figure 10a, component 302).

With regard to claim 25, and 27, the feature of the decoder for transforming and decompressing the proprietary compressed video information to decompressed audio

and video portions as specified thereof is present in Lane et al. (See Lane et al's Figure 11).

With regard to claims 33, 35, 39, 41, and 45, the feature of the audio-visual data files being transferred via wireless means as specified thereof is present in the cited reference of Lane et al. (See Lane et al's Figure 10a, component 302).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lane et al in view of Official Notice.

Lane et al discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claim 2, including the feature of the user input device and display recited in the present claim 2. (See the user input shown in Lane et al's Figure 11, and the corresponding disclosure).

Lane et al fails to specifically disclose the feature of the user input device and display being integrated into a touch-screen display as specified in the present claim 2.

Examiner takes Official Notice in that it is notoriously well known in the video display art to have a user input being integrated into a touch-screen display as specified in the present claim 2.

It would have been obvious to one skilled in the art to modify the Lane et al's apparatus wherein the user input device provided thereof would be incorporated into a touch-screen display in the same conventional manner as it is well known in the prior art. Examiner has taken Official Notice. The motivation is to make it easier for the user to enter instructions into the apparatus thereby increase the efficiency of the apparatus as suggested in the prior art.

5. Claims 7, 16-17, 19, 34, 43, and 46, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane et al in view of Official Notice.

Lane et al discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claims 7, 16-17, and 19, including the feature of the capability of storing compressed video data on a storage medium as specified in the present claims 7, 16-17, and 19. (See Lane et al's Figure 10a, component 340).

Lane et al fails to specifically disclose the feature of the storage medium having a capacity to store at least 20 Gigabytes of compressed video information as specified in claim 7, and further, the feature of the storage medium as being rewritable as specified in claims 16-17, and 19, and further, the feature of the memory being at least one a hard disk drive, an optical disk drive, semiconductor memory and a magnetic disk drive as specified in claim 34.

Examiner takes Official Notice in that it is notoriously well known in the video recording/reproducing art to have a disk storage medium of a capacity of at least 20 Gigabytes for the purpose of storing compressed video information as specified in the

present claim 7, and further, the feature of the storage medium as being rewritable as specified in claims 16-17, 19, and claim 34.

It would have been obvious to one skilled in the art to modify the Lane et al's apparatus wherein the recording means provided thereof would incorporate the capability of having a disk storage medium arranged in a manner to store at least 20 Gigabytes of compressed video information thereof, and moreover, the capability of having the storage medium as being a rewritable storage medium in the same conventional manner as is well known in the prior art. Examiner has taken Official Notice. The motivation is to increase the recording density of the recording medium as suggested in the prior art.

With regard to claims 43, and 46-47, the feature of compressed data being received via wireless means as specified thereof is present in the cited reference of Lane et al. (See Lane et al's Figure 10a, component 302).

6. Claims 9-10, 12-13, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane et al in view of Official Notice.

Lane et al discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claims 9-10, 12-13, including the feature of the storage medium, the decoder, the user input and the display as specified in the present claims 9-10, 12-13. (See Lane et al's Figure 10a, component 340, and Figure 11).

Lane et al fails specifically disclose the feature of the unitary case having a first panel and the second panel for containing the storage medium, the decoder, the user input and the display as specified in the present claims 9-10, and 12-13.

Examiner takes Official Notice in that it is notoriously well known in the video recording/reproducing art to have a unitary case having a first panel and a second panel for containing a storage medium, the decoder, the user input and the display as specified in the present claims 9-10 and 12-13.

It would have been obvious to one skilled in the art to modify the Lane et al's apparatus wherein the recording/reproducing means provided thereof including the display means would all be included in a unitary case so as to include the storage medium, the decoder, the user input and the display into said unitary case in the same conventional manner as is well known in the prior art. Examiner has taken Official Notice. The motivation is to make the apparatus compact, thereby, making it easier for the user to carry it around as suggested in the prior art.

7. Claims 26, 32, and 42, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane et al in view of Official Notice.

Lane et al discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claims 26, 32, and 42, including the feature of receiving and recording compressed video data on a storage medium (See Lane et al's Figure 10a).

Lane et al fails to specifically disclose the feature of the compressed video data being received from a Personal Video Recorder as specified in the present claims 26, 32, and 42.

Examiner takes Official Notice in that it is notoriously well known in the video recording/reproducing art to receive video data from a Personal Video Recorder and storing said received video data on a storage medium as specified in the present claims 26, 32, and 42.

It would have been obvious to one skilled in the art to modify the video recording/reproducing apparatus of Lane et al wherein the receiving means provided thereof (See Lane et al's Figure 10a, component 302) would be able to receive the compressed video data from a Personal Video Recorder and the capability of recording the received compressed video on the storage medium in the same conventional manner as is well known in the art. Examiner has taken Official Notice. The motivation is to be able to receiving and record video data from a PVR at any desired time as suggested in the prior art.

8. Claims 29-31, and 36-38, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lane et al and Official Notice as applied to claim 9 above, and further in view of Okamoto et al.

The proposed combination of Okamoto et al and Official Notice provided above discloses a video recording/reproducing apparatus that shows substantially the same limitations in claims 29-31, and 36-38, including the feature of the unitary case

containing the storage medium, the decoder and the display as specified in the present claims 29-31, and 36-38. (See the above rejection of claim 9).

The proposed combination of Lane et al and Official Notice indicated above fails to specifically disclose the feature of receiving and outputting the video data from both digital input/output port and analog audio-visual input/output port for receiving an analog audio-visual signal and the encoder coupled to the analog audio-visual input/output port for producing and outputting the compressed video information as specified in the present claims 29-31, and 36-38.

Okamoto et al discloses a video recording/reproducing apparatus that shows the feature of receiving and outputting the video data from both digital input/output port and analog audio-visual input/output port for receiving an analog audio-visual signal and the encoder coupled to the analog audio-visual input/output port for producing and outputting the compressed video information as specified in the present claims 29-31, and 36-38. (See Okamoto et al's Figure 1).

It would have been obvious to one skilled in the art to modify the Lane et al's apparatus wherein the receiving means provided thereof (See Lane et al's Figure 10a, component 302, 304, and 206) would incorporate the capability of receiving and outputting the video data from both digital input/output port and analog audio-visual input/output port for receiving an analog audio-visual signal and the encoder coupled to the analog audio-visual input/output port for producing and outputting the compressed video information in the same conventional manner as is shown by Okamoto et al. The motivation is to be able to receiving and outputting the video data from digital

input/output port and analog audio-visual input/output at any desired time, thereby, increase the efficiency of the apparatus as suggested in the prior art.

9. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lane et al and Official Notice as applied to claim 17 above, and further in view of Official Notice.

The proposed combination of Lane et al and Official Notice indicated above discloses a video recording/reproducing apparatus that shows substantially the same limitations recited in claim 44, including the feature of receiving and recording compressed video data on a storage medium (See Lane et al's Figure 10a).

The proposed combination of Lane et al and Official Notice indicated above fails to specifically disclose the feature of the compressed video data being received from a Personal Video Recorder as specified in the present claim 44.

Examiner takes Official Notice in that it is notoriously well known in the video recording/reproducing art to receive video data from a Personal Video Recorder and storing said received video data on a storage medium as specified in the present claim 44.

It would have been obvious to one skilled in the art to modify the proposed combination's video recording/reproducing apparatus wherein the receiving means provided thereof (See Lane et al's Figure 10a, component 302) would be able to receive the compressed video data from a Personal Video Recorder and the capability of recording the received compressed video on the storage medium in the same conventional manner as is well known in the art. Examiner has taken Official Notice.

The motivation is to be able to receiving and record video data from a PVR at any desired time as suggested in the prior art.

10. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ROBERT CHEVALIER
PRIMARY EXAMINER

B. Chevalier
July 24, 2006.